

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JANE DOE (a fictitious name),

Plaintiff,

v.

LOYALSOCK TOWNSHIP SCHOOL
DISTRICT, *et al.*,

Defendants.

No. 4:21-CV-01343

(Chief Judge Brann)

ORDER

APRIL 13, 2022

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that the Defendants' Motion to Dismiss (Doc. 10) is **GRANTED IN PART, DENIED IN PART:**

1. The Defendants' motion to dismiss Counts I (Title IX), III (negligence), IV (negligent infliction of emotion distress), VI (negligent failure to rescue), VII (negligent failure to warn), and VIII (negligence *per se*) is **DENIED**.
2. The Defendants' motion to dismiss Counts II (vicarious liability) and V (intentional infliction of emotional distress) is **GRANTED WITH PREJUDICE**.
3. Consistent with Federal Rule of Civil Procedure 12, the Defendants are directed to file an Answer by May 4, 2022.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge